

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
Michael L. VAZQUEZ et al.) Group Art Unit: 1621	
Serial No. 10/750,213) Examiner: TBA	
Filed: January 2, 2004) Atty. Docket 101765.00005 (2703/9/	/DIV)

For: Sulfonylalkanoylamino Hydroxyethylamino Sulfonamides Useful as

RETROVIRAL PROTEASE INHIBITORS

RESPONSE TO NOTICE TO FILE MISSING PARTS

U.S. Patent and Trademark Office 220 20th Street S. Customer Window, Mail Stop Missing Parts Crystal Plaza Two, Lobby, Room 1B03 Arlington, VA 22202

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application dated April 14, 2004, Applicants request a two-month extension of time to respond from June 14, 2004 up to and including August 16, 2004, (August 14th is a Saturday). Applicants respectfully submit that the \$1854 additional claim fee indicated on the Notice to File Missing Parts is incorrect in view of the Preliminary Amendment filed January 2, 2004, canceling claims 1-123 and introducing 6 claims (1 independent claim and 5 dependent claims) for prosecution in the above-captioned patent application. A copy of this Preliminary Amendment and a copy of the stamped postcard acknowledging receipt of the same are enclosed.

Applicants authorize the Commissioner to charge \$1320 to our Deposit Account No. 19-0733 for the following fees: the statutory basic filing fee of \$770, the missing parts surcharge of

Attorney Docket No. 101765.00005 (2703/9/DIV)

Michael L. Vazquez et al. U.S. Patent Application Serial No. 10/750,213

\$130, and the fee for a two-month extension of time of \$420. No additional fees are believed to be due. However, should any additional fees be required or an overpayment of fees made, please credit or debit our Deposit Account No. 19-0733, as needed.

In addition to the Preliminary Amendment, Applicants submit herewith a copy of the Notice to File Missing Parts of Nonprovisional Application together with a Fee Transmittal for FY 2004, and a Petition For Extension of Time Under 37 CFR 1.136(a).

It is believed that all Patent and Trademark Office requirements have now been fully met and it is respectfully requested that the above-captioned patent application be forwarded for examination.

Respectfully submitted,

Date: August 16, 2004

/Joseph M. Skerpon Reg. No. 29,864

Banner & Witcoff, Ltd. 1001 G Street, N.W. Washington, D.C. 20001 (202) 824-3000

Attachments:

- (1) Preliminary Amendment filed January 2, 2004
- (2) Stamped Postcard Acknowledging Receipt of the Preliminary Amendment
- (3) Copy of Notice to File Missing Parts of Nonprovisional Application
- (4) Fee Transmittal for FY 2004
- (5) Petition for Extension of Time Under 37 CFR 1.136(a)

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision. Applicant claims small entity status. See 37 CFR 1.27

TO

AUS 1 6 2004

TAL	AMOUNT	OF	PA'	YMENT	(\$)	1320

Application Number	10/750,213	
Filing Date	January 2, 2004	
First Named Inventor	Michael L. Vazquez	
Examiner Name	TBA	
Art Unit	1621	
Attorney Docket No.	101765.00005	

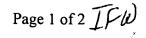
METHOD OF PAYMENT (check all that apply)			FEE CALCULATION (continued)							
☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None		3. ADDITIONAL FEES								
Order Deposit Account:			<u>Large</u>	Entity	Small E	Entity				
Deposit					Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
Account	19-073	3		ŀ	1051	130	2051	65	Surcharge - late filing fee or oath	130
Number				1052	50	2052	. 25	Surcharge - late provisional filing fee or cover sheet.		
Deposit					1053	130	1053	130	Non-English specification	
Account Banner & Witcoff, LTD.		1812	2,520	1812	2,520	For filing a request for reexamination				
Name The Director is authorized to: (check all that apply)				1804	920*	1804	920°	Requesting publication of SIR prior to Examiner action		
⊠ Charge fee(s) indicated below				1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		
	indicated below, e		filing fee		1251	110	2251	55	Extension for reply within first month	
to the above-identified deposit account. FEE CALCULATION				1252	420	2252	210	Extension for reply within second month	420	
1. BASIC F	ILING FEE				1253	950	2253	475	Extension for reply within third month	
Large Entity	Small Entity				1254	1,480	2254	740	Extension for reply within fourth month	
	Fee Fee <u>Fe</u> Code (\$)	ee Description		e Pald	1255	2,010	2255	1,005	Extension for reply within fifth month	
	• • • • • • • • • • • • • • • • • • • •	tility filing fee	77		1401	330	2401	165	Notice of Appeal	
		esign filing fee			1402	330	2402	165	Filing a brief in support of an appeal	
		Plant filing fee		1403	290	2403	145	Request for oral hearing		
1004 770	2004 385 Reissue filing fee		1451	1,510	1451	1,510	Petition to institute a public use proceeding			
1005 160	2005 80 Pi	rovisional filling	ree		1452	110	2452	55	Petition to revive – unavoidable	
SUBTOTAL (1) (\$) 770		1453	1,330	2453	665	Petition to revive - unintentional				
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2. EXTRA CLA	IM FEES FOR	UTILITY AN	ND REISSU	E	1502	480	2502	240	Design issue fee	
	_		ee from	Fee	1503	640	2503	320	Plant issue fee	
Total Claims			elow	Paid 0	1460	130	1460	130	Petitions to the Commissioner	
	ᆗ˙ ¨ " ├	<u> </u>			1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
Independent Claims	••• = [D X	=	0	1806	180	1806	180	Submission of Information Disclosure Stmt	
Multiple Dependent 0	0	x [290 =	0	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
Large Entity Fee Fee	Small Entity Fee Fee	Fee Descrip	otion		1809	770	2809	385	Filing a submission after final rejection	
Code (\$)	Code (\$)				1810	770	2810	385	(37 CFR § 1.129(a)) For each additional invention to be	\vdash
1202 18 1201 86	2202 9	Claims in ex	ccess of 20 It claims in exc	ess of 3	1010	""	2010	303	examined (37 CFR § 1.129(b))	
1203 290	2203 145	Multiple dep	endent claim,	if not paid	1801	770	2801	385	Request for Continued Examination (RCE)	
1204 86	2204 43 ** Reissue independent claims over original patent			1802	900	1802	900	Request for expedited examination of a design application		
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent							or a design application			
			Other fee (specify)							
SUBTOTAL (2) (\$) 0										
335101AE(2) (\$) 0			Reduc	ed by Ba	asic Filing	Fee Pa	aid SUBTOTAL (3) (\$) 55	50		
**or number previously paid, if greater, For Reissues, see above				-	`	-				

SUBMITTED BY Complete (if applicable)								
Name (Print/Type) Joseph M. Skerpon	Registration No. (Attorney/Agent)	29,864	Telephone	202-824-3000				
Signature LMO			Date	August 16, 2004				

WARNING: Information on this form may become public. Credit card information should not be

VVARRING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of Information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office. U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.





United States Patent and Trademark Office

ALIS 1 6 2064

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS PO. Box 1450 Alexandra, Virginia 22313-1450 www.upto.gov

 APPLICATION NUMBER
 FILING OR 371 (c) DATE
 FIRST NAMED APPLICANT
 ATTORNEY DOCKET NUMBER

 10/750,213
 01/02/2004
 Michael L. Vazquez
 101765.00005 (2703/9/DIV)

CONFIRMATION NO. 6652

22907 BANNER & WITCOFF 1001 G STREET N W SUITE 1100 WASHINGTON, DC 20001 FORMALITIES LETTER

OC000000012349771

Date Mailed: 04/14/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
 Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

• Additional claim fees of \$1854 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$2754 for a Large Entity

08/18/2004 MAHNED1 00000123 190733 10750213

\$770 Statutory basic filing fee.

• \$130 Late oath or declaration Surcharge.

01 FC:1001 02 FC:1051

770.00 DA

FC:1051 130.00 DA

Total additional claim fee(s) for this application is \$1854

\$1854 for **103** total claims over 20.

Replies should be mailed to:

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



COPY

